

**Continuation of the Patent Prosecution Highway Pilot Program  
between the USPTO and EPO**

On September 29, 2008, the United States Patent and Trademark Office (USPTO) commenced a Patent Prosecution Highway pilot program (PPH) which enabled an applicant whose claims have been determined allowable/patentable in an application filed in the European Patent Office (EPO) to have the corresponding application filed in the USPTO advanced out of turn for examination. See notice entitled "Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and European Patent Office," 1335 *Off. Gaz. Pat. Office* 196 (October 21, 2008). The USPTO indicated that the pilot program would last for a period of one year ending on September 29, 2009, but may be extended for an additional time period thereafter.

In order to adequately assess the feasibility of the PPH pilot program, the USPTO and EPO have agreed to extend the pilot for an additional year ending on September 30, 2010, in order to collect more information before any formal decision on the program is made.

In addition, the USPTO and EPO along with the Japan Patent Office (JPO) are considering a possible expansion of PPH eligibility requirements such as permitting PPH requests to be made on the basis of PCT international phase work. More information on these developments will be made in due course.

Please continue to direct inquiries on the PPH pilot program to Magdalen Greenlief at 571-272-8800 or via e-mail addressed to [Magdalen.greenlief@uspto.gov](mailto:Magdalen.greenlief@uspto.gov).

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